UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

JUDGMENT IN A CIVIL CASE

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CASE NUMBER: 1:10-CV-631 (DNH/GHL)

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that by consent of the parties the final decision of the Commissioner is REVERSED. This matter is REMANDED to the Defendant for further administrative action pursuant to Sentence 4 of 42 U.S.C. \S 405(g). This action is DISMISSED.

All of the above pursuant to the Order of the Honorable Magistrate Judge George H. Lowe, dated the 29th day of October, 2010.

DATED: October 29, 2010

s/ Melissa Ennis

Melissa Ennis Deputy Clerk

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